HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.4093 of 2007

Petitioner	:	S.P. Tiwari, S/o - Late K.P. Tiwari, aged about - 51 years, Occupation - Incharge Block Education Officer, Block - Bharatpur, Distt. Korea (C.G.)

Versus

Respondents	1.	State of Chhattisgarh, Through: Secretary Tribal Welfare Department, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
	2.	Collec tor, Distt. - Korea, (C.G.).
	3.	Assistant Commissioner, Tribal Welfare Department, Manendragarh, Distt. - Korea (C.G.)
	4.	B.L. Shrivastava, Lecturer (Biology), Government Higher Secondary, School Bharatpur, District Korea (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri Rakesh Kumar Jha, counsel for the petitioner.
Shri A.S. Kachhwaha, Govt. Advocate for the State/ respondents.

ORDER
(Passed on 16th July, 2007)

The petitioner, who is working as Lecturer in the Government Girls Higher School, Rajpur, District Surguja, has been assigned responsibility of Block Education Officer, Bharatpur, District Korea. The petitioner is aggrieved by the transfer of the respondent No.4, who has been transferred vide order dated 29.06.2007 (Annexure P-1) from Government Higher Secondary School, District Korea to Bharatpur as Block Education Officer.

(36)

2. I am unable to understand how the respondent No.4 without being firstly assigned the responsibility of Block Education Officer or appointed as Block Education Officer be posted as Block Education Officer, Bharatpur on transfer.

3. Be that as it may, since there is no order against the petitioner to remove the petitioner from the present assignment of Block Education Officer, Bharatpur, the petitioner cannot be disturbed without passing an appropriate order. The petitioner can also not complain of any grievance against the transfer order of the respondent No.4 or against any order whereby he has not been relieved from the work of Block Education Officer and further he has not been directed to work on his substantive post as Lecturer in the Government Girls Higher School, Rajpur, District Surguja. Even otherwise, there is no semblance of any right or breach thereof to invoke extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

4. In view of the foregoing, the petition is dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

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